

Joseph V. Womack
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Attorney for Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In Re:

BLACK BULL RUN DEVELOPMENT LLC Case No. **10-60593**

Debtor(s)

**APPLICATION TO APPROVE EMPLOYMENT OF PROFESSIONAL
AND AFFIDAVIT**

The Application of Joseph V. Womack, Trustee of the estate of the above-named Debtor(s), respectfully represents:

1. On the 26th day of March, 2010, Debtor(s) filed a petition under Chapter 11 of the Bankruptcy Code. This case was converted to a Chapter 7 on the 16th day of June, 2010.
2. Petitioner is the duly appointed, qualified and acting Trustee of the estate of the above-named Debtor(s).
3. The Trustee wishes to have himself appointed as attorney for the estate in this bankruptcy for the reason that it may be necessary for the Trustee to enter into and be involved in legal transactions for the benefit of the estate. At this time, the case appears to have assets. The Trustee will do work on an hourly basis unless it becomes necessary to pursue an adversary claim.

If there is an adversarial claim the Trustee may seek approval for employment on a contingency basis. As such, this Trustee wishes to employ himself as counsel, on an hourly basis for legal work.

4. The Trustee has selected himself because your petitioner is an attorney, duly licensed to practice law, a member of the Montana Bar Association and of this Court, experienced in matters such as the captioned bankruptcy and thoroughly familiar with the present proceedings.

5. The professional services that Joseph V. Womack is to render include doing legal work on claims regarding the property, liquidating the estate's interest assets and other legal work for the estate.

6. To the best of applicant's knowledge, he has no connection with the creditors or any other party in interest or their respective attorneys and accountants, the United States Trustee or any person employed in the office of the United States Trustee, and is a "disinterested person", as defined in 11 U.S.C. §101(14), except: Joseph V. Womack is a regularly employed panel Trustee, and is regularly appointed in various cases as the attorney for that case. He regularly consults with lawyers, accountants, and the U. S. Trustee's office in insolvency matters. Applicant is unaware of any such relationships affecting this case.

7. The terms of employment of Joseph V. Womack agreed to by the Trustee, subject to the approval of the Court are THREE HUNDRED AND NO/100 DOLLARS (\$300.00) per hour plus costs. A retainer of \$ 0.00 has been paid to said professional.

8. Joseph V. Womack represents no interest adverse to Trustee or the estate in the matters upon which it and its associates and employees are to be engaged, and its employment would be in the best interest of this estate except: Joseph V. Womack is regularly employed by himself, as a panel Trustee, to do legal work, and regularly consults and works on cases with lawyers, accountants, and the U. S. Trustee's office in insolvency matters. Joseph V. Womack is

unaware of any such relationship affecting this case. Joseph V. Womack is a "disinterested person", as defined in 11 U.S.C. §101(14).

WHEREFORE, Trustee prays that the employment of Joseph V. Womack under the terms specified, be approved by the Court.

DATED this 18th day of June, 2010.

WALLER & WOMACK, P.C.

By: /s/ Joseph V. Womack
Joseph V. Womack
Attorney for Trustee

AFFIDAVIT OF JOSEPH V. WOMACK

STATE OF MONTANA)
 : ss
County of Yellowstone)

JOSEPH V. WOMACK, being duly sworn upon his oath, deposes and states:

1. I am an attorney with the authority to practice law in the State of Montana and am currently employed as an attorney with the law firm of Waller & Womack, P.C.

2. I have no connection with the Debtor(s), creditors, or any other party in interest, their respective attorneys and accountants, the United States Trustee, except: Joseph V. Womack is regularly employed by himself, as a panel Trustee, to do legal work, and regularly consults and works on cases with lawyers, accountants, and the U. S. Trustee's office in insolvency matters. Joseph V. Womack is unaware of any such relationship affecting this case. Joseph V. Womack is a "disinterested person", as defined in 11 U.S.C. §101(14).

3. I represent no interest adverse to the Debtors or the estate in the matters upon which I am to be engaged.

4. I have received a general retainer in the amount of \$ 0.00 which shall not be used to pay any compensation or reimbursement of expenses without prior approval of this Court.

WALLER & WOMACK, P.C.

By: /s/ Joseph V. Womack
Joseph V. Womack

SUBSCRIBED AND SWORN TO before me this 18th day of June, 2010.

(S E A L)

/s/ Ashley D. Anvik
Print Ashley D. Anvik
Notary Public for the State of Montana
Residing at Billings, Montana
My Commission Expires 02/21/2012